

Notice of Allowability

Application No.

09/935,219

Applicant(s)

BEAMS ET AL.

Examiner

Art Unit

Michael B. Holmes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 22, 2001.
2. ☒ The allowed claim(s) is/are 1-79.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 11252003.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892) *
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 02072002 *
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.



UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450, Alexandria, Virginia 22313-1450 – www.USPTO.GOV

Examiner's Detailed Office Action

1. **Claims 1-79 are allowed.**

Examiner's Comment

2. After review of the protest of February 07, 2002, regarding Application Number 09/219,478, Filed December 22, 1998. We find no evidence in the protest to warrant a view to the contrary express in Application Number 09/219,478, issued as United States Patent No. 6,782,374 B2, August 24, 2004.

REASONS FOR ALLOWANCE

3. The following is an Examiner's statement for reasons for allowance:
The closest prior art *Fagg, III et al.* (USPN 5,835,900), *Fagg, III et al.* (USPN 5,963,931), *Fagg, III et al.* (USPN 5,978,784), *Fagg, III et al.* (USPN 6,009,420), does not teach or render obvious applicant's claimed invention.

With regards to claim 1, *Fagg, III et al.* does not disclose “ ... (b) prompting the user to enter a response congruent with the goal; (e) calculating a level of congruency between the response and a target response designed to achieve the goal utilizing the remote knowledge base; and (f) providing feedback to the user reflecting the level of congruency to assist the user in achieving the goal.”

With regards to claim 9, *Fagg, III et al.* does not disclose “ ... (b) logic that prompts a user to enter a response congruent with the goal; (e) logic that calculates a level of congruency between the response and a target response designed to achieve the goal utilizing the remote knowledge base; and (f) logic that provides feedback to the user reflecting the level of congruency to assist the user in achieving the goal.”

With regards to claim 10, *Fagg, III et al.* does not disclose “ ... (b) a code segment that prompts a user to enter a response congruent with the (e) a code segment that calculates a level of congruency between the response and a target response designed to achieve the goal utilizing the remote knowledge base; and (f) a code segment that provides feedback to the user reflecting the level of congruency to assist the user in achieving the goal.”

With regards to claim 18, *Fagg, III et al.* does not disclose “... (b) prompting a user to enter a response congruent with the goal; (e) providing feedback to the user reflecting the level of congruency to assist the user in achieving the goal.”

With regards to claim 28, *Fagg, III et al.* does not disclose “... (b) logic that prompts a user to enter a response congruent with the goal; (e) logic that provides feedback to the user reflecting the level of congruency to assist the user in achieving the goal.”

With regards to claim 29, *Fagg, III et al.* does not disclose “...*(b) a code segment that prompts a user to enter a response congruent with the goal; (e) a code segment that provides feedback to the user reflecting the level of congruency to assist the user in achieving the goal.*”

With regards to claim 39, *Fagg, III et al.* does not disclose “...*(b) prompting the users to enter a response congruent with the goal.*”

With regards to claim 50, *Fagg, III et al.* does not disclose “...*(b) logic that prompts the users to enter a response congruent with the goal.*”

With regards to claim 51, *Fagg, III et al.* does not disclose “...*(b) a code segment that prompts the users to enter a response congruent with the goal.*”

With regards to claim 61, *Fagg, III et al.* does not disclose “...*(b) prompting a user to enter a response congruent with the goal; (d) calculating a level of congruency between the response and a target response designed to achieve the goal; and (e) providing feedback to the user from a collaborative session reflecting the level of congruency to assist the, user in achieving the goal.*”

With regards to claim 70, *Fagg, III et al.* does not disclose “...*(b) logic that prompts a user to enter a response congruent with the goal; (d) logic that calculates a level of congruency between the response and a target response designed to achieve the goal; (g) logic that provides feedback to the user from a collaborative session reflecting the level of congruency to assist the user in achieving the goal.*”

With regards to claim 71, *Fagg, III et al.* does not disclose “...*(b) a code segment that prompts a user to enter a response congruent with the goal; (d) a code segment that calculates a level of congruency between the response and a target response designed to achieve the goal; (e)*

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a code segment that provides feedback to the user from a collaborative session reflecting the level of congruency to assist the user in achieving the goal.”

Correspondence Information

4. Any inquires concerning this communication or earlier communications from the examiner should be directed to **Michael B. Holmes** who may be reached via telephone at **(703) 308-6280**. The examiner can normally be reached Monday through Friday between 8:00 A.M. and 5:00 P.M. est. If you need to contact the Examiner, regarding After Final concerns, please send it to **(703) 746-7238**. If you need to send an Official facsimile transmission, please send it to **(703) 746-7240**. If you need to send a Non-Official or Draft facsimile transmission, please send it to **(703) 746-7239**.

If attempts to reach the examiner by telephone are unsuccessful, the **Examiner's Supervisor, Anthony Knight**, may be reached at **(703) 308-3179**.

Any response to this office action should be mailed too:
Director of Patents and Trademarks Washington, D.C. 20231, or **Hand-delivered** responses should be delivered to the **Receptionist, located on the fourth floor of Crystal Park II, 2121 Crystal Drive Arlington, Virginia**.

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